



ARKANSAS  
Department of Environmental Quality

**CERTIFIED: 91 7199 9991 7030 4937 6814**

August 3, 2015

Mark Carter, Owner  
Carter Off Road Park, LLC

(b) (6)

RE: Carter Off Road Park Inspection  
AFIN: 63-00000 Permit No.: N/A

Dear Mr. Carter:

On July 10, 2015, I sent a letter to you outlining the findings of the May 9, 2015 inspection of the above referenced facility. The letter requested that a written response be submitted to the Water Division Inspection Branch of this Department by July 24, 2015. To date, no response has been received.

A copy of the inspection report has been included for your convenience. Please submit a written response to the Water Division Inspection Branch. This response should be mailed to the address below, or e-mailed to [Water-Inspection-Report@adeq.state.ar.us](mailto:Water-Inspection-Report@adeq.state.ar.us). This response should be submitted by **August 17, 2015**.

Thank you for your attention to this matter. Should you have any questions, feel free to contact me at 501-683-0827 or you may e-mail me at [mcadoo@adeq.state.ar.us](mailto:mcadoo@adeq.state.ar.us).

Sincerely,

Erica McAdoo  
District 9 Field Inspector  
Water Division

Inspection Report: **Error! Reference source not found.**, AFIN: **Error! Reference source not found.**, Permit #: **Error! Reference source not found.**

## Peckham, Jeanene

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**From:** Peckham, Jeanene  
**Sent:** Monday, February 29, 2016 10:04 AM  
**To:** Peckham, Jeanene  
**Subject:** FW: Carter Off-Road Park Violations/Enforcement  
**Attachments:** 085135-insp.pdf

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**From:** Baker, Clark [mailto:BAKERCLARK@adeq.state.ar.us]  
**Sent:** Tuesday, September 01, 2015 8:41 AM  
**To:** Peckham, Jeanene  
**Cc:** Vincent.M.Gregory@usace.army.mil; Bolenbaugh, Jason; McAdoo, Erica; Healey, Richard  
**Subject:** RE: Carter Off-Road Park Violations/Enforcement

Ms. Peckham,

The attached report for this case was composed by Inspector Erica McAdoo (501-683-0827 or [mcadoo@adeq.state.ar.us](mailto:mcadoo@adeq.state.ar.us)) and submitted to our Branch Manager Jason Bolenbaugh (501-682-0659 or [Bolenbaugh@adeq.state.ar.us](mailto:Bolenbaugh@adeq.state.ar.us)). As of yesterday, I believe, this case has been submitted to our Enforcement Branch for further management since the owner/operator proved to be unresponsive and uncooperative. A good point of contact for the Enforcement Branch is the Branch Manager Richard Healey (501-682-0640 or [healeyr@adeq.state.ar.us](mailto:healeyr@adeq.state.ar.us)).

I believe that Mr. Bolenbaugh is your best point of contact at this time for insight to the history of the site and the offender, the exact violations cited in the report, the current status of the case, and where we expect the case to go in the future. Again, Mr. Bolenbaugh can be reached at 501-682-0659 or [Bolenbaugh@adeq.state.ar.us](mailto:Bolenbaugh@adeq.state.ar.us).

Regards,

*Clark Baker*  
**ADEQ**

Water Division

Inspector

Office: (501)682-0657

Fax: (501)682-0880 (attn: Clark Baker)

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**From:** Peckham, Jeanene [mailto:Peckham.Jeanene@epa.gov]  
**Sent:** Monday, August 31, 2015 5:49 PM  
**To:** Baker, Clark  
**Cc:** Vincent.M.Gregory@usace.army.mil  
**Subject:** Carter Off-Road Park Violations/Enforcement

Hello, I have been assigned to this case. First such park I have never seen. Please help me learn – what is the violation(s) being forwarded? Is it a spillway (which I have not yet found) or is it more? What happened between 2007 and the present? The whole story is needed. When was the recent spillway constructed. ?There is a 5 year statute of limitations regarding penalties. We have the option to require removal of fill and then restoration, or

Apply for and obtain ATF permit within certain number of days; along with the penalty if within the time limit. Was there a detailed inspection report, a report was mentioned in an email.

Jeanene Peckham

214-665-6411

R6 WQ-EM



ARKANSAS  
Department of Environmental Quality

July 10, 2015

Mark Carter, Owner  
Carter Off Road Park, LLC

(b) (6)

RE: Carter Off Road Park Inspection  
AFIN: 63-00000 Permit No.: N/A

Dear Mr. Carter:

On May 7 and May 9 2015, members of the ADEQ Water Division Inspection Branch performed a reconnaissance inspection of the above referenced facility in accordance with the provisions of the Federal Clean Water Act, the Arkansas Water and Air Pollution Control Act, and the regulations promulgated thereunder. A copy of the inspection report is enclosed for your records.



**Please refer to the "Summary of Findings" section of the attached inspection report and provide a written response for each violation that was noted.** This response should be mailed to the attention of the Water Division Inspection Branch at the address at the bottom of this letter or e-mailed to [Water-Inspection-Report@adeq.state.ar.us](mailto:Water-Inspection-Report@adeq.state.ar.us). This response should contain documentation describing the course of action taken to correct each item noted. This corrective action should be completed as soon as possible, and the written response with all necessary documentation (i.e. photos) is due by **July 24, 2015**.

If I can be of any assistance, please contact me at [mcadoo@adeq.state.ar.us](mailto:mcadoo@adeq.state.ar.us) or 501-683-0827.

Sincerely,

Erica McAdoo  
District 9 Field Inspector  
Water Division

<h1 style="margin: 0;">ADEQ</h1> <p style="margin: 0;">ARKANSAS Department of Environmental Quality</p>		<b>WATER DIVISION INSPECTION REPORT</b>				
		AFIN: 63-00000		PERMIT #: N/A		DATE: 5/7/2015
		COUNTY: 63 Saline		PDS #: 085135		MEDIA: W
		GPS LAT: 34.675813 LONG: -92.471144 LOCATION: General Area				
<b>FACILITY INFORMATION</b>			<b>INSPECTION INFORMATION</b>			
NAME: <b>Carter Off Road Park</b> LOCATION: <b>7498 Anderson St.</b> CITY: <b>Alexander</b>			FACILITY TYPE: *****		INSPECTOR ID#: <b>27312 S - State</b>	
			FACILITY EVALUATION RATING: ***		INSPECTION TYPE: <b>Other</b>	
			DATE(S): <b>5/7/2015</b> <b>5/9/2015</b>	ENTRY TIME: <b>13:11</b> <b>12:35</b>	EXIT TIME: <b>15:07</b> <b>15:25</b>	PERMIT EFFECTIVE DATE:
						PERMIT EXPIRATION DATE:
<b>RESPONSIBLE OFFICIAL</b>						
NAME / TITLE: <b>Mark Carter / Owner</b> COMPANY: <b>Carter Off Road Park, LLC</b> <b>(b) (6)</b>  EMAIL: _____			FAYETTEVILLE SHALE RELATED: N			
			FAYETTEVILLE SHALE VIOLATIONS: N			
			<b>INSPECTION PARTICIPANTS</b>			
			NAME/TITLE/PHONE/FAX/EMAIL/ETC.: <b>Jason Bolenbaugh, Manager, 501-682-0659</b> <b>Clark Baker, Inspector, 501-682-0657</b> <b>Chris Naus, Inspector, 501-682-0658</b>			
CONTACTED DURING INSPECTION: No						
<b>AREA EVALUATIONS</b>						
(S=Satisfactory, M=Marginal, U=Unsatisfactory, N=Not Applicable/Evaluated)						
** PERMIT	** FLOW MEASUREMENT	** STORMWATER				
** RECORDS/REPORTS	** LABORATORY	** FACILITY SITE REVIEW				
** OPERATION & MAINTENANCE	** EFFLUENT/RECEIVING WATER	** SELF-MONITORING PROGRAM				
** SAMPLING	** SLUDGE HANDLING/DISPOSAL	** PRETREATMENT				
** OTHER:						
<b>SUMMARY OF FINDINGS</b>						
<p>Sample locations were established upstream, adjacent to, and downstream of Carter Off Road Park to assess any potential impacts the park was causing to water quality, specifically turbidity levels within the streams. Samples were collected on May 7, 2015 prior to the Mud Daze event the park was hosting on May 8-10, 2015. Samples were also collected on May 9, 2015 during the Mud Daze event at the same locations as May 7, 2015. Sample results for each day are located in Tables 1 and 2 of the report.</p> <p>On May 7, 2015, turbidity levels were 92.9 NTU on the unnamed tributary adjacent to Carter Off Road Park (UT-001), and on May 9, 2015, turbidity levels were 1770 NTU at the same location. These are in violation of ADPC&amp;E Regulation 2.503.</p> <p>Carter Off Road Park, LLC is operating a large construction site without a Construction Storm Water permit for all construction and dirt work activities in violation of Arkansas Water and Pollution Control Act § 8-4-217(b)(1)(E).</p>						
<b>GENERAL COMMENTS</b>						
<p>According to the Arkansas Department of Parks &amp; Tourism website, the Carter Off Road Park, LLC is a new outdoor park with over 1,000 acres for riding that has mud pits, trails, hill climbs, and a creek to cool off in. There's also an obstacle course over 4,000 feet long. Camping is available but no electricity or water. Live music concerts and special events occasionally hosted.</p> <p>Turbidity levels at all sampling locations were higher on May 9, 2015 than on May 7, 2015 due to the rainfall event that occurred on the morning of May 9, 2015. Precipitation records are provided in Table 3 of the report.</p>						

INSPECTOR'S SIGNATURE:  Erica McAdoo	DATE: 7/10/2015
SUPERVISOR'S SIGNATURE:  Jason Bolenbaugh	DATE: 7/10/2015



**Water Division Photographic Evidence Sheet**

Location:	<b>Carter Off Road Park</b>		
Photographer:	<b>Jason Bolenbaugh</b>	Date:	<b>5/7/2015</b>
Witness:	<b>Clark Baker and Chris Naus</b>	Time:	<b>~13:11</b>
		Photo #:	<b>1</b>
Description:	<b>Sparks Road sample location upstream of Carter Off Road Park.</b>		



Photographer:	<b>Jason Bolenbaugh</b>	Date:	<b>5/9/2015</b>
Witness:	<b>Erica McAdoo, Clark Baker, and Chris Naus</b>	Time:	<b>~12:35</b>
		Photo #:	<b>2</b>
Description:	<b>Sparks Road sample location upstream of Carter Off Road Park.</b>		





**Water Division Photographic Evidence Sheet**

Location:	<b>Carter Off Road Park</b>		
Photographer:	<b>Clark Baker</b>	Date:	<b>5/7/2015</b>
Witness:	<b>Jason Bolenbaugh and Chris Naus</b>	Time:	<b>~1343</b>
		Photo #:	<b>3</b>
Description:	<b>Sample location FC-004 downstream of a park crossing.</b>		



Photographer:	<b>Clark Baker</b>	Date:	<b>5/9/2015</b>
Witness:	<b>Erica McAdoo, Chris Naus, and Jason Bolenbaugh</b>	Time:	<b>~13:10</b>
		Photo #:	<b>4</b>
Description:	<b>Sample location FC-004 downstream of a park crossing.</b>		





**Water Division Photographic Evidence Sheet**

Location:	<b>Carter Off Road Park</b>		
Photographer:	<b>Erica McAdoo</b>	Date:	<b>5/9/2015</b>
Witness:	<b>Chris Naus and Jason Bolenbaugh</b>	Time:	<b>~1343</b>
		Photo #:	<b>5</b>
Description:	<b>Park stream crossing upstream of FC-004.</b>		



Photographer:	<b>Erica McAdoo</b>	Date:	<b>5/9/2015</b>
Witness:	<b>Chris Naus and Jason Bolenbaugh</b>	Time:	<b>~1343</b>
		Photo #:	<b>6</b>
Description:	<b>ATV riders at the park stream crossing upstream of FC-004.</b>		





**Water Division Photographic Evidence Sheet**

Location:	<b>Carter Off Road Park</b>		
Photographer:	<b>Jason Bolenbaugh</b>	Date:	<b>5/7/2015</b>
Witness:	<b>Clark Baker and Chris Naus</b>	Time:	<b>~1429</b>
		Photo #:	<b>7</b>
Description:	<b>Sample location FC-003 downstream of Carter Off Road Park.</b>		



Photographer:	<b>Jason Bolenbaugh</b>	Date:	<b>5/9/2015</b>
Witness:	<b>Erica McAdoo, Chris Naus, and Jason Bolenbaugh</b>	Time:	<b>~14:19</b>
		Photo #:	<b>8</b>
Description:	<b>Sample location FC-003 downstream of Carter Off Road Park.</b>		





**Water Division Photographic Evidence Sheet**

Location:	<b>Carter Off Road Park</b>		
Photographer:	<b>Jason Bolenbaugh</b>	Date:	<b>5/7/2015</b>
Witness:	<b>Clark Baker and Chris Naus</b>	Time:	<b>~14:40</b>
		Photo #:	<b>9</b>
Description:	<b>Sample location UT-001 adjacent to Carter Off Road Park.</b>		



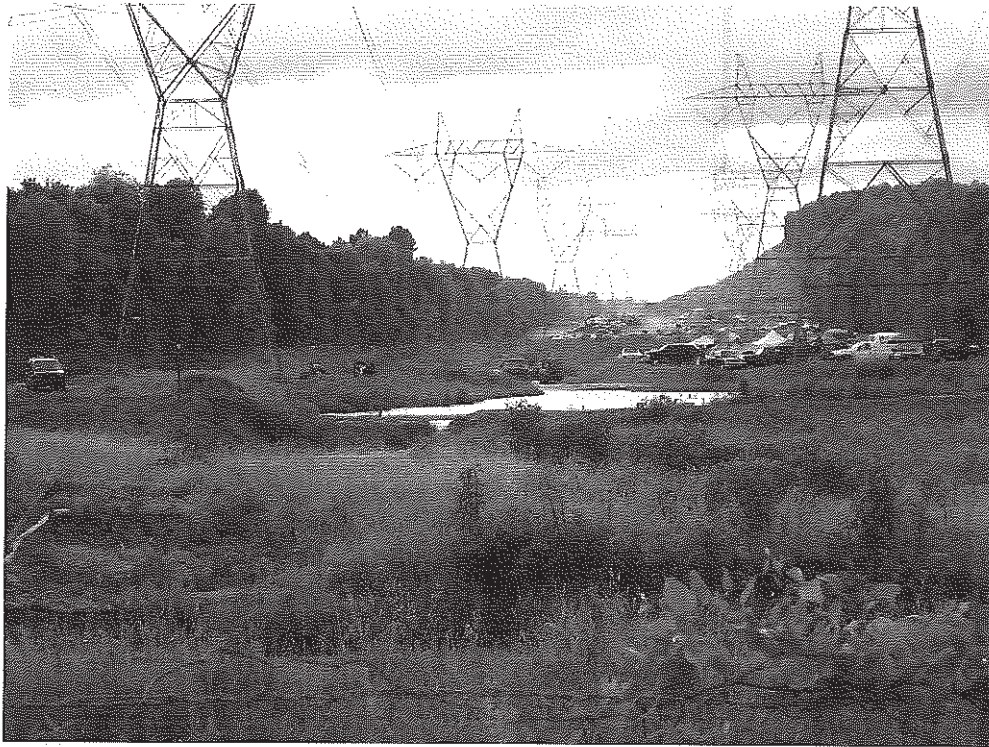
Photographer:	<b>Erica McAdoo</b>	Date:	<b>5/9/2015</b>
Witness:	<b>Jason Bolenbaugh</b>	Time:	<b>~14:40</b>
		Photo #:	<b>10</b>
Description:	<b>Sample location UT-001 adjacent to Carter Off Road Park.</b>		





**Water Division Photographic Evidence Sheet**

Location:	<b>Carter Off Road Park</b>		
Photographer:	<b>Erica McAdoo</b>	Date:	<b>5/9/2015</b>
Witness:	<b>Jason Bolenbaugh</b>	Time:	<b>~1440</b>
		Photo #:	<b>11</b>
Description:	<b>Trucks driving in the unnamed tributary above sample location UT-001.</b>		



Photographer:	<b>Erica McAdoo</b>	Date:	<b>5/9/2015</b>
Witness:	<b>Jason Bolenbaugh</b>	Time:	<b>~1440</b>
		Photo #:	<b>12</b>
Description:	<b>ATV rider riding through a construct spillway in the unnamed tributary upstream of sample location UT-001.</b>		



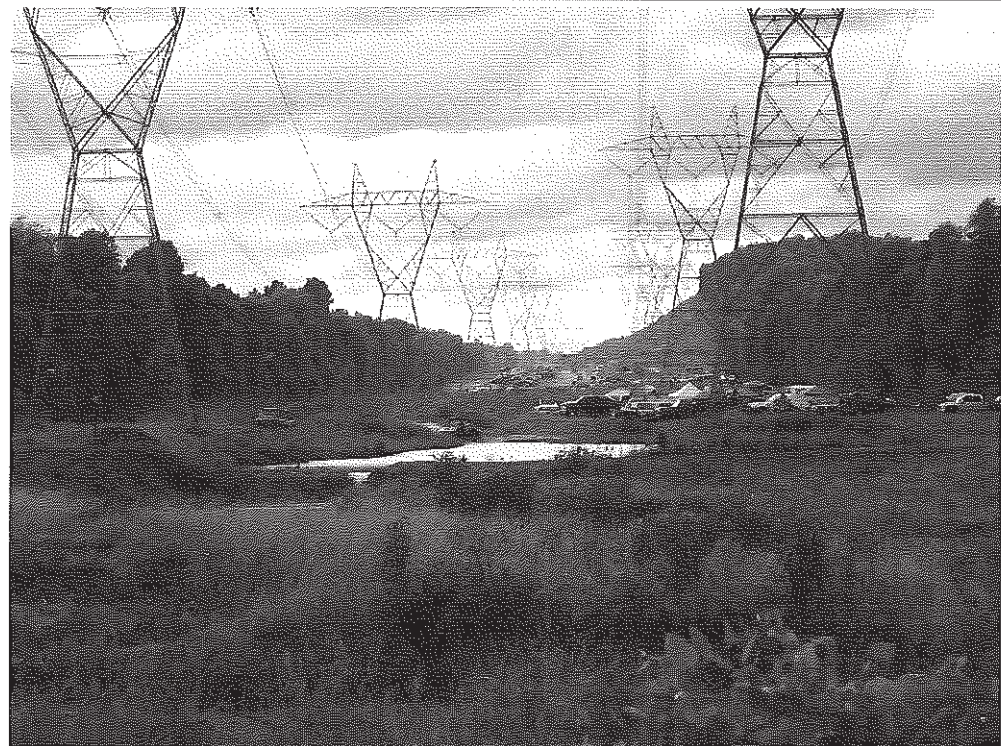


**Water Division Photographic Evidence Sheet**

Location:	<b>Carter Off Road Park</b>		
Photographer:	<b>Jason Bolenbaugh</b>	Date:	<b>5/7/2015</b>
Witness:	<b>Clark Baker and Chris Naus</b>	Time:	<b>~1440</b>
		Photo #:	<b>13</b>
Description:	<b>Carter Off Road Park. Building being constructed in the background.</b>		



Photographer:	<b>Erica McAdoo</b>	Date:	<b>5/9/2015</b>
Witness:	<b>Jason Bolenbaugh</b>	Time:	<b>~1440</b>
		Photo #:	<b>14</b>
Description:	<b>ATV driving in the unnamed tributary above sample location UT-001.</b>		





**Water Division Photographic Evidence Sheet**

Location:	<b>Carter Off Road Park</b>		
Photographer:	<b>Jason Bolenbaugh</b>	Date:	<b>5/7/2015</b>
Witness:	<b>Clark Baker and Chris Naus</b>	Time:	<b>~14:59</b>
		Photo #:	<b>15</b>
Description:	<b>Sample location FC-001.</b>		



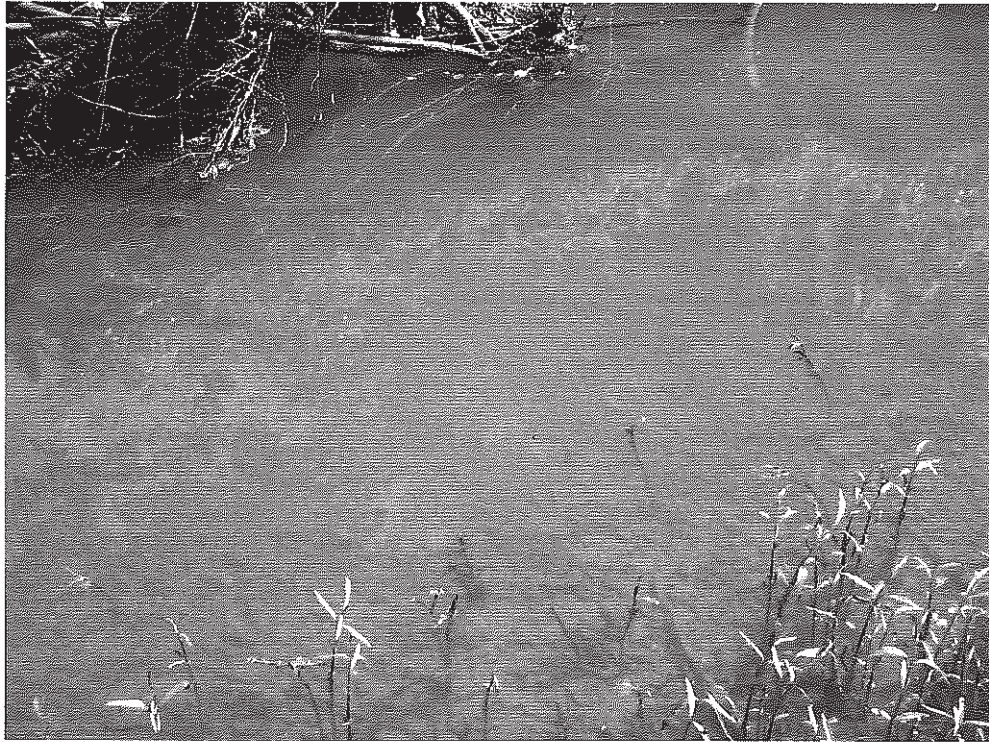
Photographer:	<b>Jason Bolenbaugh</b>	Date:	<b>5/9/2015</b>
Witness:	<b>Erica McAdoo, Clark Baker, and Chris Naus</b>	Time:	<b>~14:57</b>
		Photo #:	<b>16</b>
Description:	<b>Sample location FC-001.</b>		





**Water Division Photographic Evidence Sheet**

Location:	<b>Carter Off Road Park</b>		
Photographer:	<b>Jason Bolenbaugh</b>	Date:	<b>5/7/2015</b>
Witness:	<b>Clark Baker and Chris Naus</b>	Time:	<b>~15:07</b>
		Photo #:	<b>17</b>
Description:	<b>Sample location FC-002.</b>		



Photographer:	<b>Jason Bolenbaugh</b>	Date:	<b>5/9/2015</b>
Witness:	<b>Erica McAdoo and Chris Naus</b>	Time:	<b>~15:25</b>
		Photo #:	<b>18</b>
Description:	<b>Sample location FC-002.</b>		





**Water Division Photographic Evidence Sheet**

Location:	<b>Carter Off Road Park</b>		
Photographer:	<b>Rob Graddy</b>	Date:	<b>5/9/2015</b>
Witness:		Time:	
		Photo #:	<b>19</b>
Description:	<b>Sample containers from May 7 and 9, 2015. May 9 samples are in the foreground.</b>		



**Table 1: May 7, 2015 Water quality sample results prior to Mud Daze**

Sample Location	Location Description	Date	Time	pH	DO	Temp	Turbidity
Sparks Road	Upstream of Carter Off Road Park	5/7/2015	13:11	6.84	7.97	23.4	2.29
FC-004	East of Under Springs Road	5/7/2015	13:43	7.13	7.88	22.3	2.01
FC-003 (ARK01471)	Downstream of unnamed tributary and Fourche Creek confluence	5/7/2015	14:29	7.02	7.48	23.1	4.65
UT-001	Unnamed tributary to Fourche Creek	5/7/2015	14:40	6.57	8.34	26.9	92.9
FC-001	Immediately upstream of confluence	5/7/2015	14:55	7.11	7.61	26.9	3.95
FC-002	Downstream of FC-004	5/7/2015	15:07	7.09	7.77	23.0	4.68

**Table 2: May 9, 2015 Water quality sample results during Mud Daze**

Sample Location	Location Description	Date	Time	pH	DO	Temp	Turbidity
Sparks Road	Upstream of Carter Off Road Park	5/9/2015	12:35	7.1	7.6	21.1	15.1
FC-004	East of Under Springs Road	5/9/2015	13:10	7.02	7.5	21.8	38.4
FC-003 (ARK01471)	Downstream of unnamed tributary and Fourche Creek confluence	5/9/2015	14:19	6.93	7.17	22.3	99.5
UT-001	Unnamed tributary to Fourche Creek	5/9/2015	14:40	6.01	5.06	23.0	1770
FC-001	Immediately upstream of confluence	5/9/2015	14:57	6.97	7.27	22.4	139
FC-002	Downstream of FC-004	5/9/2015	15:25	6.96	7.14	22.7	136

\* Turbidity standards for the Arkansas River Valley are Base Flow Value 21 NTU /All Flow Value 40 NTU.

**Table 3: Rainfall data for May 7, 2015 through May 9, 2015.**

Date	Temperature Max	Temperature Min	Average Temperature	Precipitation Amount
5/7/2015	87	63	75	*T
5/8/2015	82	72	77	0.04
5/9/2015	79	67	73	1.44

\*T = Trace amount of precipitation

\*\*Weather data came from the Little Rock AP Adams Field Station



Figure 1. Google Earth Image of Area and Sample Points.






-  Yellow pins indicate sampling locations (Sparks Road sample location is not pictured but is northwest of FC-004)
-  Orange pins indicate locations within Carter Off Road Park





Figure 2. Google Earth Image of Saline County Assessor (Approximate) Property Boundaries for Carter Off Road Park, LLC.

-  Yellow pins indicate sampling locations
-  Orange pins indicate locations within Carter Off Road Park
-  Approximate Property Boundary

